IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.134/2007

Mrs. Celina Velho Almeida,
Retired Headmistress, Indian
National, residing at H. No.502,
Fr. Agnelo Road, Panaji,Goa. ..... Petitioner.

V/s.

1. Minister of Urban Development,
State of Goa, with office at
Secretariat, Porvorim, Goa.

2. State of Goa,
through the Secretary Urban Development,
Secretariat, Panjim, Goa.

3. The Corporation of the City of Panaji,
through its Commissioner, with office at
C.C.P., Atmaram Borkar Road,
Panaji, Goa.

4. Bharatbushan Pundalik Harmalkar,
Residing at H.No. S-39/7C, Maina,
Teenmaad, Siolim, Bardez, Goa. ..... Respondents.

Mr. J. E. Coelho Pereira, Senior Advocate with Mr. S. B. Karpe, Advocate for the petitioner.

Ms. Rakhi Chodankar, Addl. Govt. Advocate for the respondents No.1 and 2.

Mr. V. P. Thali, Advocate for the respondent No.4.

CORAM : S.A. BOBDE, J.

DATE : APRIL 27, 2007.

ORAL JUDGMENT :

Rule, returnable forthwith. Heard by consent.

2. The impugned order is, hereby, set aside. The appellate Authority shall decide the appeal afresh, after giving an opportunity to the petitioner to be heard in the matter.

3. The appellate Authority is directed to decide the matter within two months from the date the parties appear before it.

4. The parties are directed to appear before the Authority on 3rd May, 2007.

5. Rule disposed of with the aforesaid direction.

S.A. BOBDE, J.

ssm.